

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAERSK, INC., and A.P. MOLLER-MAERSK, A/S

Plaintiffs,

-against-

NEEWRA, INC, REDNIHOM, INC., AREF HASSAN ABUL
INC., ARWEEN SINGH SAHNI a/k/a ARWEEN SAHNI :
SINGH, a/k/a ARWEEN SAHNI a/k/a ARWEEN SINGH a/k/a :
ABUL SABAH a/k/a AREF HASSAN ABUL, MOHINDER : 05 CIV 4356 (RCC)
SINGH SAHNI a/k/a MOHINDER SAHNI SINGH a/k/a :
MOHINDER SAHNI a/k/a MOHINDER SINGH a/k/a :
MOHINDER SINGH SAHANI a/k/a MOHINDER SAHANI :
a/k/a MOHINDER SAHANI SINGH, a/k/a JOGINDER SINGH :
SAHNI, JOGINDER SINGH SAHNI, a/k/a JOGINGER SINGH DECLARATION
SAHNI a/k/a JOGINDER SAHNI SINGH a/k/a JOGINGER :
SAHNI SINGH a/k/a JOGINDER SINGH a/k/a JOGINDER :
SAHNI a/k/a JOGINGER SINGH a/k/a JOGINGER SAHNI, :
SABHARWAL CHANDRA KUMAR a/k/a SABHARWAL K. :
CHANDRA, MANDEEP SINGH SAHNI a/k/a MOHINDER :
SINGH a/k/a MOHINDER SAHNI a/k/a MOHINDER SINGH :
SAHANI, HELP LINE COLLECTION CO. W.L.L., PARKER :
DAWOOD TAJUDDIN TAJUDIS ISMAIL PARKER, :
SARDAR TRADERS EST., SARDAR INTERNATIONAL :
TRADING CO., AL TAMASOK AL ARABI EST., JOHN DOE :
1-100 (fictitious) and JOHN DOE INC.1-100 (fictitious) :

Defendants.

-----X
HARRY H. WISE, III, hereby declares under penalty of perjury:

1. I am counsel for defendants Joginder Singh Sahni, Dawood Tajuddin
Parker, and Help Line Collection Co., and I submit this declaration in support of their
motion, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for judgment
dismissing this case as to them on the grounds that there is no evidence they participated
in any scheme to defraud plaintiffs, or, alternatively, that this Court does not have

personal jurisdiction over them. Except as otherwise noted, I am personally familiar with the facts set forth here.

2. Annexed hereto as Exhibit A is an excerpt from the deposition transcript of Bimal Canal, comprising the title pages and pages 118 and 119.

3. Annexed hereto as Exhibit B is an excerpt from the deposition transcript of Elvis Pinto, comprising the title pages and pages 40 through 54.

4. Annexed hereto as Exhibit C is an excerpt from the deposition transcript of Elvis Pinto, comprising pages 60 through 63.

5. Annexed hereto as Exhibit D is an excerpt from the deposition transcript of Elvis Pinto, comprising pages 73 through 76.

6. Annexed hereto as Exhibit E is an excerpt from the deposition transcript of Elvis Pinto, comprising pages 89 through 92.

Dated: New York, N.Y.
March 30, 2007



Harry H. Wise, III (HW6841)

Exhibit A

COPY

1

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----x
MAERSK, INC., and A.P. MOLLER-MAERSK A/S,
Plaintiffs,

-against-

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(RCC)

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SAHNI a/k/a ARWEEN SAHNI SINGH a/k/a
ARWEEN SAHNI a/k/a ARWEEN SINGH a/k/a
ABUL SABAH a/k/a AREF HASSAN ABUL,
MOHINDER SINGH SAHNI a/k/a MOHINDER
SAHNI SINGH a/k/a MOHINDER SAHNI a/k/a
MOHINDER SINGH, JOGINDER SINGH SAHNI
a/k/a JOGINGER SINGH SAHNI a/k/a JOGINDER
SAHNI SINGH a/k/a JOGINGER SAHNI SINGH
a/k/a JOGINDER SINGH a/k/a JOGINDER SAHNI
a/k/a JOGINGER SINGH a/k/a JOGINGER SAHNI,
SABHARWAL CHANDRA KUMAR a/k/a
SABHARWAL K. CHANDRA, HELP LINE
COLLECTION CO. W.L.L., PARKER DAWOOD
TAJUDDIN TAJUDIS ISMAIL PARKER, SARDAR
TRADERS EST., SARDAR INTERNATIONAL
TRADING CO., AL TAMASOK AL ARABI EST.,
JOHN DOE 1-100 (fictitious) and JOHN DOE
INC. 1-100 (fictitious),

Defendants.

-----x

November 13, 2008

9:45 a.m.

Deposition of **BIMAL KANAL**, held at
the law offices of Freehill Hogan & Mahar LLP,
80 Pine Street, New York, New York, before
Susan B. Ratner, a Shorthand Reporter and Notary
Public within and for the State of New York.

A P P E A R A N C E S:

FREEHILL HOGAN & MAHAR LLP

Attorneys for Plaintiffs

80 Pine Street

New York, New York 10005

BY: ERIC E. LENCK, ESQ.

RAYMOND A. CONNELL, ESQ.

Attorney for Defendant Mohinder Singh Sahni

132 Nassau Street, Suite 900

New York, New York 10038-2400

HARRY H. WISE, III

Attorneys for Defendants Joginder Singh Sahni,

Help Line Collection Co. W.L.L. and Dawood

Tajuddin Parker

250 West 57th Street

New York, New York 10107

1 B. Kanal

2 Q. Do you recall a specific conversation
3 in which Mr. Zakariya told you that Mr. Parker
4 had some connection to Help Line Collection
5 Company?

6 MR. LENCK: Objection.

7 You can answer.

8 A. I don't specifically recall what he
9 said exactly, and whether he said it to me, or
10 whether he opened a file and showed me that this
11 is the company or -- it's a very thick file.

12 Q. Do you recall ever seeing any
13 document connected with Neewra's case against
14 Maersk in Kuwait containing the name Help Line
15 Collection Company?

16 A. Well, the document -- there is no
17 official document as such that I have seen.

18 The connection between Help Line and
19 Tajuddin is, if Tajuddin is the legal
20 representative of Neewra, and has filed a
21 lawsuit against us, who in Kuwait is his legal
22 sponsor. It's normally a company or a Kuwaiti
23 person.

24 It is well within our jurisdiction to
25 find out who employs this person, and if the

1 B. Kanal

2 employer in the authorities, in the books of the
3 Kuwaiti authorities is Help Line Collection.

4 Q. Because all foreigners have to be
5 sponsored to work in Kuwait; is that correct?

6 A. Yes, that is right.

7 Q. The information as to who their
8 sponsors are is public information; is that
9 correct?

10 A. Yes.

11 Q. So there can't be any real dispute
12 about that?

13 A. There cannot be any dispute.
14 It's not a matter of speculation
15 whether he was linked to Help Line Collection.

16 Q. The records would show that?

17 A. Yes.

18 Q. Have you ever met Mr. Parker?

19 A. No.

20 Q. What is your understanding of what
21 Mr. Parker did in connection with the lawsuit
22 involving Neewra and Maersk in Kuwait?

23 A. He represented the shippers in
24 New York, Mr. Arween Singh Sahni.

25 Q. When you say that he "represented,"

Exhibit B

COPY

1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----x
4 MAERSK, INC. and A.P. MOLLER-MAERSK A/S
5 Plaintiffs,

6 -against-
7 NEEWRA, INC., REDNIHOM, INC., AREF
8 HASSAN ABUL, INC., ARWEEN SINGH SAHNI
9 a/k/a ARWEEN SAHNI SINGH a/k/a ABUL
10 SABAH a/k/a AREF HASSAN ABUL, MOHINDER
11 SINGH SAHNI a/k/a MOHINDER SAHNI SINGH
12 a/k/a MOHINDER SAHNI a/k/a MOHINDER
13 SINGH a/k/a MOHINDER SINGH SAHANI a/k/a
14 MOHINDER SAHANI a/k/a MOHINDER SAHANI
15 SINGH a/k/a JOJINDER SINGH SAHNI a/k/a
16 JOGINGER SINGH SAHANI a/k/a JOJINDER
17 SAHNI SINGH a/k/a JOJINDER SAHNI SINGH
18 a/k/a JOJINDER SINGH a/k/a JOJINDER SAHNI
19 a/k/a JOJINDER SINGH a/k/a JOJINDER SAHNI,
20 SABHARWAL CHANDRA KUMAR a/k/a SABHARWAL
21 K. CHANDRA, MANDEEP SINGH SAHNI a/k/a
22 MOHINDER SINGH a/k/a MOHINDER SAHNI a/k/a
23 MOHINDER SINGH SAHNI a/k/a MOHINDER
24 SAHANI a/k/a MOHINDER SINGH SAHANI, HELP
25 LINE COLLECTION COMPANY, W.L.L., PARKER
DAWOOD TAJUDDIN, TAJUDIS ISMAIL PARKER,
SARDAR TRADERS EST., SARDAR INTERNATIONAL
TRADING CO., AL TAMASOK AL ARABI EST,
JOHN DOE 1-100 (fictitious) and JOHN DOE
INC., 1-100 (fictitious),

Defendants.
-----x

DEPOSITION OF ELVIS PINTO

New York, New York

October 29, 2008

Reported by:
ELLEN SANDLES

October 29, 2008
9:45 a.m.

DEPOSITION OF ELVIS PINTO, held at the
offices of FREEHILL HOGAN & MAHAR, LLP, 80 Pine
Street, New York, New York, before Ellen Sandles,
a Shorthand Reporter and Notary Public, within and
for the State of New York.

1 A P P E A R A N C E S :

2
3 LAW OFFICES OF FREEHILL HOGAN & MAHAR, LLP
4 Attorneys for the Plaintiffs
5 80 Pine Street
6 New York, New York 10005

7 BY: ERIC E. LENCK, ESQ.

8 LAW OFFICES OF HARRY H. WISE III, ESQ.
9 Attorney for Jojinder Singh Sahani,
10 Help Line Collection Company and Dawood
11 Tajuddin Parker

12 250 West 57th Street, Suite 1316
13 New York, New York 10107

14 BY: HARRY H. WISE III, ESQ.

15 LAW OFFICES OF RAYMOND A. CONNELL
16 Attorney for Mohinder Singh Sahani
17 132 Nassau Street
18 New York, New York 10038

19 BY: RAYMOND A. CONNELL, ESQ.

20 * * *

ELVIS PINTO

Ghloom, A-B-B-A-S, G-H-L-O-O-M, and Surinder Sahani, S-U-R-I-N-D-E-R, Sahani. That means those two people are partners.

Q. In Nile Garage?

A. Not Nile Garage. They probably changed the name of the place. It doesn't exist anymore.

Q. Did Nile Garage used to be in one building?

A. Yes, sir.

Q. So there is still a garage there?

A. Yes.

Q. But it no longer says Nile Garage?

A. No.

Q. It has these other people's names on it?

A. Yes, sir.

Q. Is it your assumption that Mr. Waswani is no longer connected with the business, or do you know that?

A. When he owned the business, you could drive by and see him in his office. Now there is no office there.

Q. When was the last time you saw Mr. Waswani anywhere?

ELVIS PINTO

A. When he introduced me to Mr. Joginder Singh.

Q. When was that?

A. That was about a month and a half before the first fraud.

Q. You mean the fraud connected with the Neewra shipment?

A. Yes, sir.

Q. Tell us what happened when Mr. Waswani introduced you.

A. I met with Mr. Waswani at Blue Bird's. I was led into a room while we were waiting, and a few minutes later Mr. Joginder Singh walked in.

Q. Let's back up. When did the prospect of meeting Mr. Singh first come up?

A. When Mr. Waswani repeatedly called me up in my office saying he had a business proposal, and knows Mr. Sunil. There was no business proposal that I could foresee in the shipping industry besides garage and automobiles, and I kept putting him off, then one day I told Mr. Waswani, "this guy is ~~is~~ pissing me off, you have some business proposal?" And he said, "go check it out."

ELVIS PINTO

Q. Before Mr. Waswani starting calling you about this business proposal, had he ever called you personally before?

A. Not for many, many years.

Q. You said that it was not since the time you worked at the car rental place?

A. Yes, sir.

Q. So for the first time in years you received a call from Mr. Waswani?

A. Yes.

Q. What did he say to you?

A. He says, "how are you doing? I have a business proposal and I would like to sit down with you and discuss it."

Q. What did you say?

A. "Let me know what the proposal is," and he said, "no, we have to meet." I said, "when I am free I will give you a buzz," and I never gave him a buzz. A few weeks later he calls me again, the same story, and then he follows it up, and I went to Soren and said, "this is getting regular," and he wouldn't back it off.

Q. So you went to Soren Hansen and said, "this person is calling me, what should I do?"

1 ELVIS PINTO

2 And he said, "why don't you meet him?"

3 A. Soren said, "go across and see what he
4 wants."

5 Q. What did you do then after Mr. Hansen
6 said that?

7 A. Sunil offered to pick me up, and he
8 said, "it is close to your office," so I said, "I
9 will drive there." It is a block away.

10 Q. From your office at Maersk Line?

11 A. Yes.

12 Q. Mr. Waswani suggested you come to some
13 place for a meeting?

14 A. Yes, sir.

15 Q. Did he tell you that that was his
16 office or some other place?

17 A. He did not tell me whose office it was.

18 Q. He gave you an address. Did you
19 recognize when he gave it to you that it was an
20 address only a block or so from your work?

21 A. Yes.

22 Q. What was the address?

23 A. It was the Soukh Al Watania, S-O-U-K-H,
24 A-L, W-A-T-A-N-I-A. That is a shopping mall.

25 Q. So that name, "Soukh Al Watania," is

1 ELVIS PINTO

2 the name of a shopping mall?

3 A. Yes.

4 Q. Did he tell you within the mall where
5 to meet him?

6 A. He said drive up the car park, park on
7 the last floor, and take the steps up to the
8 uppermost floor, that has the offices.

9 Q. He told you to drive the car up to the
10 top level of parking at the mall, correct?

11 A. Yes, sir.

12 Q. Park there, walk up one flight to where
13 some offices are?

14 A. Yes, sir.

15 Q. What did he say to do then?

16 A. He would be waiting up there.

17 Q. Was he waiting for you?

18 A. Yes, sir.

19 Q. Where was he waiting for you?

20 A. Outside of the door of the office.

21 Q. When you walked up the stairs, did that
22 lead to an entry way or foyer?

23 A. No, sir.

24 Q. What was there?

25 A. On the top of the building, the top

ELVIS PINTO

1 floor of offices is shorter than the main part of
2 the building, so the steps are on the side, just
3 like the steps on the side of a ship, so when you
4 go up, reach the top, it is a like a lawn. It is
5 a rooftop with small cottages. Each one is an
6 office.
7

8 Q. So is the stairway up from the parking
9 garage outside?

10 A. Yes, sir, the outside of the building.

11 Q. So you walk up, it's an exterior
12 stairway, and it's like a lawn?

13 A. It is like an open area.

14 Q. With grass?

15 A. No, sir.

16 Q. Just cement?

17 A. Cement.

18 Q. Around the outskirts are there offices?

19 A. Small offices.

20 Q. Separate buildings or just doorways?

21 A. There is an office at each end. They
22 are not connected to one another.

23 Q. They are separate little structures?

24 A. Like a resort. Like cabanas.

25 Q. Like a beach cabana?

1 ELVIS PINTO

2 A. Exactly, probably two rooms and a hall
3 with a small kitchen, and after a certain space,
4 another like that, and not a normal office block
5 like what we see here.

6 Q. So you walk up the stairs, and was
7 Mr. Waswani waiting outside?

8 A. Outside of Blue Bird.

9 Q. How could you tell it was Blue Bird?

10 A. There was a nameplate on the wall
11 outside of the door.

12 Q. What did the nameplate say?

13 A. It was "Blue Bird General Trading," if
14 I am not mistaken. I have only been there once.

15 Q. So what did you do when you met
16 Mr. Waswani on this occasion?

17 A. Well, he said that the gentleman I am
18 supposed to meet has still not arrived, and he
19 will arrive any minute. I was led into the room,
20 and he said not to worry, the gentleman will
21 explain.

22 Q. So you walked inside the office with
23 Mr. Waswani?

24 A. Yes, sir.

25 Q. Was there anyone else there?

ELVIS PINTO

A. Not that I saw.

Q. Can you describe the interior of the office?

A. We walked in, took a right turn and walked right back to a small room.

Q. What was in the room?

A. What was in the room?

Q. Was there a desk?

A. If I am not mistaken, there was an old wooden desk with one or two chairs.

Q. How long did you wait before someone else arrived?

A. Not more than three or four minutes.

Q. Who arrived at the time?

A. A fat, turbaned gentleman came in with a potbelly. He introduced himself as Mr. Singh.

Q. Okay. What exactly did he say to introduce himself?

A. We shook hands. Mr. Sunil said, "meet my friend, Mr. Singh." I said, "I am Elvis," and he said, "I am Singh," but he didn't say what Singh, because Singh is pretty common. I gave him my card and I asked him for a card, but he said, "I left my card in the car," so I didn't have a

1 ELVIS PINTO

2 card.

3 Q. Do you have a recollection of how old
4 this man was?

5 A. At that given time?

6 Q. Yes.

7 A. In the 50- to 55-year bracket.

8 Q. How tall was he?

9 A. About my height.

10 Q. How tall are you?

11 A. Five-nine or ten.

12 Q. Was he a heavier man than you?

13 A. Much heavier.

14 Q. Would you describe him as fat?

15 A. Yes.

16 Q. What was the color of the turban?

17 A. I would not remember.

18 Q. Do you remember any other identifying
19 characteristics of his? He was an Indian, I take
20 it?

21 A. Yes.

22 Q. Did he have any facial hair?

23 A. When you have the turban, you have the
24 hair over the top (Indicating.) The turban is up.
25 They don't cut their hair. They are sort of

ELVIS PINTO

intertwined. But they have a beard.

Q. So he had a beard?

A. Yes, sir.

Q. Did he have a mustache, too?

A. I don't remember.

Q. Did he have scars?

A. I don't remember.

Q. Did he have any tattoos?

A. I don't remember.

Q. How was he dressed?

A. In a shirt and pants.

Q. He introduced himself to you and you to him, and you gave him your card, and he had no card?

A. Yes, sir.

Q. Were you standing at this time?

A. Yes.

Q. Did you then sit down?

A. Yes.

Q. What did he say?

A. They would give me a proposal that would make me rich. I said, "what is the proposal?" And he said, "take it easy, I will tell you about the proposal, but I need your

ELVIS PINTO

1
2 answer." I said, "I can't answer something unless
3 I have heard it." He said, "it is very simple. I
4 need blank bills of lading." And I said, "what
5 bills of lading?" And he said, "shipping bills of
6 lading." And I said, "why?" He said, "that is
7 none of your business. I will pay you for the
8 blank bills of lading on the condition that you
9 leave the country after that." And I said, "how
10 much are you paying me?" He wanted to know my
11 salary, and I refused to tell him, and he took
12 three guesses, and I said, "sorry, you are wrong."

13 He said, "look, don't waste my time. I
14 have made a lot of shipping executives rich. Some
15 have migrated to other countries and put down
16 payments on their homes, and I have made them
17 rich, and if you cooperate, I will make you rich."
18 And I said, "I would love to help you, but I would
19 like to know what you want to do with it," and he
20 said, "that is none of your business," and then I
21 said said, "if I do a blank bill, you have to run
22 it through a computer system to get the
23 formatting."

24 He said, "I want the ones with the
25 lines and the setting," and I said, "we don't use

ELVIS PINTO

that anymore, try another shipping company."

Q. Is it fair to say that before this meeting, Mr. Waswani had never told you the name of the person you were meeting?

A. Yes, sir.

Q. At the meeting itself the person told you his name was Singh?

A. Yes.

Q. Do you now know more about the name of the person you met then?

A. Yes.

Q. What do you know about the name of the person you met at that time?

A. I learned that his name was Joginder Singh.

Q. How did you learn that?

A. Because I picked up the phone and spoke to Mr. Sunil and said, "who was that?" He says, "he is the owner of Sardar Traders. He is a big man."

Q. So you left the meeting still only knowing it was Mr. Singh, correct?

A. Yes.

Q. How much did he offer you?

ELVIS PINTO

A. About 20,000 Kuwaiti dinars.

Q. That would be about \$60,000?

A. Yes, sir.

Q. Do you know why he thought that would be enough money to make you want to leave the country to receive it?

A. A lot of people who have spent a lot of time in Kuwait would migrate with that amount of money to Australia or Canada, and he probably thought I would migrate. That was when he said, "I made a lot of other managers rich and they have all left and are doing well."

Q. I only ask because it doesn't strike me that \$60,000 is a sufficient sum to enable someone to be rich no matter what country they go to.

A. That is probably why he asked me my salary, because I said no to that one.

Q. How did you leave the meeting?

A. We said goodbye to one another, Sunil stayed behind with him, I left the parking deck and went back to my office.

Q. When did Mr. Waswani call you to tell you what he said he told you later?

A. I called Sunil Waswani to ask who the

ELVIS PINTO

gentleman was, to identify him.

Q. How long after the meeting was that?

A. The same day.

Q. Where was Mr. Waswani when you called him?

A. I have absolutely no clue.

Q. Did you call his mobile phone?

A. His mobile phone.

Q. Is that a number you had for a long time?

A. No, because he had used it to call me, so we had his number.

Q. So the call he made to set up the meeting was from his mobile phone?

A. Yes.

Q. In that conversation with Mr. Waswani, what did you say to him and what did he say to you?

A. I asked, "who was this gentleman," and he was so proud to tell me that "you have to leave the country," very authoritatively. Then he says, "he is a very powerful guy, he is the gentleman who owns Sardar Traders and a couple of other companies. He is a very powerful guy."

1 ELVIS PINTO

2 Q. He gave you the name Joginder Singh?

3 A. Yes.

4 Q. Did he give you the name Joginder Singh
5 Sahani?

6 A. Just Joginder Singh.

7 Q. Did you have anything further to do
8 with the man you met on that occasion at any time
9 after that?

10 A. No, sir.

11 Q. Can you tell us what time of day the
12 meeting was?

13 A. In the morning, probably between 11 and
14 12.

15 (Recess.)

16 BY MR. WISE:

17 Q. Just return a minute to the attack on
18 your wife that you spoke of before. How would the
19 people in Kuwait have known where she was on
20 vacation? Do you have an idea about that?

21 A. She goes every year back to the same
22 place. Anyone that has a copy of the passport,
23 you can find the address. It is not difficult to
24 find the address of where you live in India.

25 Q. It would be an address on her passport?

Exhibit C

1 ELVIS PINTO

2 Mr. Singh did Mr. Waswani come to your house?

3 A. I don't know exactly how many days
4 later, but it would be within two to three weeks
5 of this happening.

6 Q. How did he know where you lived?

7 A. Good question. I still haven't figured
8 that out.

9 Q. You don't know?

10 A. No, because he has never been to my
11 house.

12 Q. But he came to your house?

13 A. I was not at home. We had just come in
14 from an outdoor occasion, but he was waiting at
15 the gate for me.

16 Q. Is there a gate on the street?

17 A. Yes, I have a wall, that's why, and as
18 I walked up, he was walking up behind me.

19 Q. What happened then?

20 A. He said, "I would like to have a
21 drink," and I said, "I'm sorry, I don't have a
22 drink," because he was already drunk himself.

23 Q. He seemed drunk to you?

24 A. Yes.

25 Q. Did you have a further conversation

ELVIS PINTO

with him at that time?

A. He said he wanted to sit down and have a drink with me, and I said I wanted to go to sleep, because we had just come from a party, and then he went out to his car and got a drink, because he probably had been drinking in his car.

Q. What happened then?

A. I told him to get lost.

Q. And he left?

A. He left.

Q. Did you have a conversation at that time in which he said he could make you rich?

A. Technically what he was saying, and he was saying it within earshot of my wife, "I could make your husband rich." She said, "I am very happy with what he is doing now."

Q. Your wife said that?

A. Yes. I got him out of the place.

Q. Did he use, according to this, the name Joginder Singh Sahani? Is that correct?

A. Yes.

Q. Is that the first time you heard the name Sahani connected with this man?

A. Yes.

ELVIS PINTO

Q. What did Mr. Waswani say about that?

A. He said he has done a lot of errands for him, business connections, putting two people together, and I said, "what kind of deal was this where you wanted me to commit fraud?" And he said, "no, you don't have to worry, Mr. Singh is very powerful, and I have introduced him to people and the deal goes through, and I get a commission."

Q. In your last answer you said "Mr. Singh."

A. Uh-huh.

Q. Is that what Mr. Waswani said to you?

A. We call all of them Singhs, every Sardar is known as a Singh. They all have the prefix Singh.

Q. Is that because all Sikhs use Singh as their middle name?

A. That's the family name, if I am not mistaken.

Q. This statement here says he used the name Joginder Singh Sahani.

Do you have a specific recollection at this time that he used the name Sahani in addition

1 ELVIS PINTO

2 to Singh?

3 A. That was the first time he used Sahani.

4 Q. But you are sure he used the word
5 Sahani?

6 A. Yes, he mentioned the word Sahani. I
7 said, "everybody is a Singh on Canada Dry Street,"
8 and then he said, Joginder Singh Sahani.

9 Q. What is Canada Dry Street?

10 A. It's a street in Kuwait that is filled
11 with automobile workshops, car tires, tire chain
12 shops, car washing stations, anything to do with
13 automobiles, excluding selling cars.

14 Q. Why did you link that street to
15 Mr. Joginder Singh?

16 A. Because Sardar's is situated on that
17 street.

18 Q. What is the connection between Sardar
19 Traders and Joginder Singh Sahani?

20 A. Apparently, Sardar Traders is owned by
21 Joginder Singh Sahani.

22 Q. Why do you say "apparently"?

23 A. Because we found his visiting card,
24 which he had given my ex-boss some years ago.

25 MR. WISE: Let me mark this as

Exhibit D

ELVIS PINTO

that is listed as 41?

A. That's Item 59. It says Tab 42, and the correction says 42 is 41.

Q. Okay. So what is Tab 41? What does that show?

A. It shows a Help Line letter addressed to Maersk Line to Matthew Karavilla. It is sent from 483-8560, which is the fax line for Sardar Traders.

Q. How do you know that?

A. Because we called them and checked.

Q. It is your understanding Sardar Traders is Mr. Joginder Singh's company?

A. Yes, sir.

Q. In general, is the ownership of companies in Kuwait a secret thing?

A. No.

Q. Is the ownership of companies in Kuwait available to the public?

A. Well, yes, you can go down to the Government Department and give them the name of the company and pay the fees, and they will give you a computer printout of who the shareholders are.

ELVIS PINTO

Q. So they'll show you who the shareholders are?

A. They will give you a printout.

Q. It's not a secret?

A. No.

MR. WISE: Please mark that as Defendant's E.

(Defendant's Exhibit E was marked for identification.)

BY MR. WISE:

Q. I am showing you a document we marked as Defendant's Exhibit E. Mr. Pinto, I believe that is also one of the exhibits attached to your statement; is that correct?

A. I have seen this.

Q. What is Exhibit E?

A. That is the shareholders of the company and the director of the company.

Q. Is that the Blue Bird Company?

A. Yes, sir.

Q. Now, is that the government document you were talking about before, or is that some sort of private information?

A. This is?

ELVIS PINTO

Q. Yes.

A. I am not aware of.

Q. Does the line at the top off the document mean anything to you --

A. Credit report. I do not know who this company is. What I was referring to, I can go to the Government Department, the Chamber of Industry and Commerce, and I can give them a name, and they will give me a printout in Arabic, and I have got to get a translator.

Q. Have you ever done that with respect to the Blue Bird company?

A. I have not.

Q. Have you ever seen such a document with respect to the Blue Bird Company?

A. I have seen documents in Arabic with the handwriting in English. It could be from the same place.

Q. Is it your recollection that you have seen a Kuwaiti government document referring to the Blue Bird Company which lists Mr. Joginder Singh as an owner of that company?

A. I don't recall the names in Arabic.

Q. The names in Arabic would be the same

1 ELVIS PINTO

2 as Joginder Singh, would it not?

3 A. Because it is in Arabic, it is in
4 Arabic script, not in English, so we only
5 translate the company name and then send it to the
6 legal department. We don't get into the nitty
7 gritty of who are the people.

8 Q. You don't read Arabic?

9 A. No.

10 Q. Is it fair to say that if Mr. Joginder
11 Singh is an owner of the Blue Bird Company, that
12 fact would be on file in Kuwait for anyone to see?

13 A. Yes.

14 Q. You mentioned in a previous answer a
15 man named Parker who came to your office.

16 A. Yes, sir.

17 Q. When did that occur?

18 A. He came to our office in regard to the
19 Rednihom.

20 Q. Was that after the Neewra shipment?

21 A. Yes.

22 Q. Was that the first time Mr. Parker had
23 come to your office, as far as you know?

24 A. Yes.

25 Q. Did Mr. Parker meet with anyone at your

Exhibit E

ELVIS PINTO

Q. Do you know whether a criminal case was brought against Dawood Tajuddin Parker as a result of any criminal fraud?

A. I am not aware of.

Q. Do you know if Maersk Kuwait has ever brought a civil lawsuit against Joginder Singh or Mr. Parker or Help Line connected with the Neewra fraud?

MR. LENCK: Other than the present case?

MR. WISE: I am talking about in Kuwait.

A. No, I am not aware of.

MR. WISE: Please mark this as H.

(Defendant's Exhibit H was marked for identification.)

BY MR. WISE:

Q. Now I am going to take the liberty, Mr. Pinto, of masking some words on this document we labeled Exhibit H, and show you for the moment just a photograph it contains, and I would like you to tell me if that man is someone you recognize.

A. No.

1 ELVIS PINTO

2 Q. As far as you know, you have not seen
3 him before?

4 A. No.

5 MR. WISE: Please mark this as I.

6 (Defendant's Exhibit I was
7 marked for identification.)

8 BY MR. WISE:

9 Q. Let me do the same thing with Exhibit
10 I, Mr. Pinto.

11 A. This gentleman, I have never seen this
12 guy.

13 MR. LENCK: For the record, the witness
14 is pointing to the gentleman on the left with the
15 red turban.

16 A. The gentleman on the right, he is not
17 Joginder Singh unless he has lost a lot of weight.

18 Q. You are assuming that I am showing you
19 Joginder Singh, and it doesn't look quite like
20 him?

21 A. Right.

22 Q. It doesn't ring a bell?

23 A. Right.

24 MR. WISE: Please mark this as
25 Defendant's Exhibit J.

1 ELVIS PINTO

2 (Defendant's Exhibit J was
3 marked for identification.)

4 BY MR. WISE:

5 Q. I am going to show you a photograph we
6 have marked as Exhibit J, Mr. Pinto, and ask you
7 if that is a familiar face to you.

8 A. No, sir.

9 MR. WISE: Mark this as Defendant's
10 Exhibit K.

11 (Defendant's Exhibit K was
12 marked for identification.)

13 BY MR. WISE:

14 Q. Again with Defendant's Exhibit K.

15 A. This guy looks somewhat familiar, but I
16 can't place it.

17 MR. WISE: Please mark L.

18 (Defendant's Exhibit L was
19 marked for identification.)

20 BY MR. WISE:

21 Q. Defendant's Exhibit L?

22 A. Isn't this the same gentleman as this?

23 MR. LENCK: So the witness is saying,
24 isn't this, referring to Exhibit L, the same
25 gentleman as, and then he is referring to Exhibit

ELVIS PINTO

I, and the gentleman on the left in Exhibit I.

MR. WISE: Please mark this as M.

(Defendant's Exhibit M was
marked for identification.)

BY MR. WISE:

Q. Let me show you Exhibit M.

Does that appear to be a familiar face
to you?

A. No, sir.

MR. WISE: Please mark this as
Defendant's Exhibit N.

(Defendant's Exhibit N was
marked for identification.)

BY MR. WISE:

Q. Exhibit N, Mr. Pinto?

A. I don't know.

Q. Never met him?

A. No.

Q. Would you say the same thing even if
the eye situation were different?

A. Probably, yes.

Q. You would still not know him?

A. No.

(Recess.)